

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Atty. Docket No.: 100725-09009

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

June 2, 2008

Sir:

In response to the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. 1.137(b) dated March 31, 2008, Applicants respectfully request that the Examiner reconsider his decision dismissing the Petition to Revive based upon unintentional abandonment in view of the attached materials and the following remarks.

It should be noted that contrary to the statement in the last full paragraph on page 1 of the Decision, the undersigned did in fact make the statement that the entire delay was unintentional in the Petition filed January 8, 2008.

The facts to support petitioner's statement that the abandonment was unintentional are as follows:

1. A Request for Continued Examination and Information Disclosure Statement were filed on March 23, 2001, in response to the outstanding final Office Action dated November 30, 2000.
2. On or about May 22, 2001, the undersigned submitted by e-mail a spreadsheet listing all cases which were to be associated with Customer Number 004372 and in which the undersigned's address was to be changed. Attached as Exhibit A is page 8 of this spreadsheet where the subject application is listed. The undersigned's new address and Customer Number Record change was of record under Customer Number 004372 as of January 31,

2001, a copy of the Notice of Customer Number Record Change is attached as Exhibit B.

3. Receiving no response or further action from the Patent and Trademark Office in response to Item #1 above, on August 9, 2005, a Change of Correspondence Address was filed via facsimile. Attached hereto as Exhibit C is a copy of the Change of Correspondence Address with facsimile transmission sheet and the transmission acknowledgement sheet.
4. Further on August 10, 2005, a Request for Status and Information Disclosure Statement were filed. Attached hereto as Exhibit D is a copy of the Request for Status and Information Disclosure Statement along with a copy of the stamped postcard receipt.
5. Still receiving no response or action from the Patent and Trademark Office in response to either #1 or #4 above, a Petition to Withdraw the Holding of Abandonment with Exhibits was filed on October 23, 2006. Attached as Exhibit E is copy of the Petition to Withdraw the Holding of Abandonment along with a copy of the stamped postcard receipt.
6. Still not receiving a response or action from the Patent and Trademark Office in response to either #1, #4 or #5 above, on February 23, 2007, a Petition to Withdraw the Holding of Abandonment with Exhibits (Second Filing) was filed. Attached as Exhibit F is a copy of the Petition to Withdraw the Holding of Abandonment (Second Filing) with Exhibits along with a copy of the stamped postcard receipt.
7. On November 13, 2007, the Petitions Office issued a Decision dismissing the Petition to Withdraw the Holding of Abandonment.
8. In response to the Decision by the Petitions Office, a Petition to Revive Unintentional Abandonment with the appropriate Amendment in response to the Office Action of April 11, 2001, was submitted on January 8, 2008.

Applicants hereby submit that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully

submitted that the revival of the subject application based upon unintentional abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit G is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application (access to which only became available for this application recently). It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, as indicated in Item #2, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application. In view of this, it is questioned why the Notice of Abandonment dated March 29, 2002, was mailed to the old address.

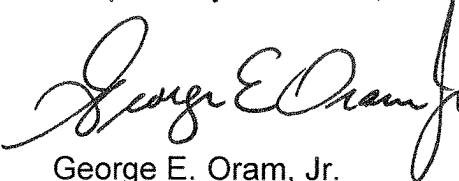
With regard to the delay in filing the first Petition to Withdraw the Holding of Abandonment, in previous years it was not unusual that the Patent and Trademark Office would take a considerable amount of time before issuing further actions after the filing of a document, and there was no manner in which the records of the Patent and Trademark Office could be accessed to check. Thus the filing of the Request for Status on August 10, 2005, is not seen as a lack of interest in the application by the undersigned.

Based upon the facts set forth above, the undersigned submits that there were good-faith attempts made in advising the Patent and Trademark Office of the undersigned's new address and obtaining the status of the application, however the unresponsiveness on the part of the Patent and Trademark Office contributed to the delay in filing the Petition to Revive based upon unintentional abandonment.

As required in the Decision, attached hereto are Declarations for Renewed Petition to Revive Unintentionally Abandoned Patent Application by George E. Oram, Jr. and Murat Ozgu, persons having knowledge of the circumstances surrounding the unintentional abandonment of the subject application.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.
Reg. No. 27,931

Customer No.: 004372
Arent Fox LLP
1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

GEO:mmg

Encls:

- | | |
|-----------|---|
| Exhibit A | Page 8 of Spreadsheet submitted with e-mail communication for change of name and address |
| Exhibit B | Notification of Customer Number Record Change dated January 31, 2001 |
| Exhibit C | Change of Correspondence Address sent via facsimile on August 9, 2005, w/facsimile sent acknowledgement sheet |
| Exhibit D | Request for Status and Information Disclosure Statement filed August 10, 2005, w/stamped postcard receipt |
| Exhibit E | Petition to Withdraw the Holding of Abandonment filed on October 26, 2006, w/stamped postcard receipt |

Exhibit F Petition to Withdraw the Holding of Abandonment (Second Filing) filed on
February 23, 2007, w/stamped postcard receipt

Exhibit G PTO Private PAIR webpage

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by
George E. Oram, Jr., w/Exhibits A, B and C

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by
Murat Ozgu, w/Exhibits A and B

09386450	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW SUITE 330 WASHINGTON DC
09431226	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09381286	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09463394	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09500532	Nikaido Marmelstein Murray & Oram	Metropolitan Square 655 Fifteenth Street NW Washington DC
60003248	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE SUITE 330-G STREET LOBBY WASHINGTON DC
60012912	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
60047997	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
60069535	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET SUITE 330 WASHINGTON DC
09431228	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
09441061	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09440287	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
60162207	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET WASHINGTON DC
09437755	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09455912	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09343406	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09334066	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE SUITE 330 - G STREET LOBBY WASHINGTON DC
09320852	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09320649	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET, N.W. WASHINGTON DC
09422085	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE SUITE 330 G STREET LOBBY WASHINGTON DC
09399960	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09351296	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
08776188	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET, N.W. WASHINGTON DC
08779076	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
08913103	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
08973398	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09134985	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09445433	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09269190	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09147036	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09331590	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09142060	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
08966854	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE SUITE 330-G STREET LOBBY WASHINGTON DC
09359405	NIKAIDO MARMEOLSTEIN MURRAY AND ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09321764	NIKAIDO MARMEOLSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09437303	NIKAIDO MARMEOLSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N E WASHINGTON DC
08097621	NIKAIDO, MARMEOLSTEIN, MURRAY & ORAM	METROPOLITAN SQUARE STE. 330 - G STREET LOBBY WASHINGTON DC

Drosos, Margaret

From: Drosos, Margaret
Sent: Tuesday, May 29, 2001 2:45 PM
To: 'Stacy.Fuller@USPTO.GOV'
Subject: RE: Error Report for Customer Number 04372

OK Sorry for the error.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]
Sent: Tuesday, May 29, 2001 2:18 PM
To: DrososM@ARENTFOX.COM
Subject: RE: Error Report for Customer Number 04372

Thank you for your response. Unfortunately we asked that you email me the list of applications/patents that you DO NOT wish to be associated with your customer number and that you not delete any applications from the spreadsheet. I have to go to your original spreadsheet and remove the applications that you do not wish to be associated. Please resend the error report with these applications clearly noted.

Thank you for your assistance.

Stacy

> -----Original Message-----

> From: DrososM@ARENTFOX.COM [SMTP:DrososM@ARENTFOX.COM]
> Sent: Tuesday, May 29, 2001 2:15 PM
> To: Stacy.Fuller@USPTO.GOV
> Subject: RE: Error Report for Customer Number 04372

>
> I have edited your error report so as to only included those applications
> for Nikaido, Marmelstein, Murray & Oram. This firm at Metropolitan Square
> merged with Arent Fox at the 1050 Connecticut Ave. address last year.
> Thank
> you for your attention to this. We have had several PTO papers returned
> to
> the PTO by Post Office, even though we have a current change of address on
> file.

>
> Margaret P. Drosos
> Director of IP Administration
> Arent Fox Kintner Plotkin & Kahn, PLLC
> 202 857-6463
> Drososm@arentfox.com

> -----Original Message-----

> From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]
> Sent: Tuesday, May 22, 2001 1:10 PM
> To: DrososM@ARENTFOX.COM
> Subject: Error Report for Customer Number 04372

>
> I have received your spreadsheet to associate your applications/patents
> with
> your customer number, and there are just a few more questions. There are
> a
> few files that are currently going to a different address for
> correspondence
> and we just have to do a little preventative maintenance to be absolutely

EXHIBIT

B

> sure that you do, in fact, want to update these files to your customer
> number.
>
> Please take a look at the attached spreadsheet, which lists the
> "questionable" applications. Once you have verified whether or not you
> wish
> to associate these applications/patents with your customer number, please
> mark them as such on the attached spreadsheet (i.e., yes/no) and email it
> back to me, or simply email me the list of applications/patents that you
> DO
> NOT wish to be associated with your customer number. Please DO NOT delete
> any applications from the spreadsheet.
>
> If there are NO changes to be made, you can just email me back to let me
> know that it is ok to associated all files with your customer number.
>
> <<04372Cusno_Error(1).xls>>
> << File: Error Report.xls >>

* * * COMMUNICATION RESULT REPORT (AUG. 9. 2005 3:18PM) * * *

TT1 ARENT FOX DC5

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
2572 MEMORY TX		1549#100725#09009#15712738300#	OK	2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

Facsimile

Arent Fox
ATTORNEYS AT LAW

Date: August 9, 2005

Pages (including cover): 2

Attorney #: 1549

Client/Matter #: 100725-09009

George E. Oram, Jr.
202.828.3455 DIRECT
202.857.6395 FAX
oram.george@arentfox.com

PLEASE DELIVER TO:

Name/Company

Fax #

Verify #

U.S. Patent and Trademark Office

571-273-8300

MESSAGE/INSTRUCTIONS

Re: Change of Correspondence Address
U.S. Patent Appln. S.N. 09/320,649
For: HYDRODYNAMIC TYPE OIL-IMPREGNATED
SINTERED BEARING
By: Natsuhiko MORI et al
Our Ref: 100725-09009

EXHIBIT 

Facsimile

Arent Fox
ATTORNEYS AT LAW

Date: August 9, 2005

Pages (including cover): 2

Attorney #: 1549

Client/Matter #: 100725-09009

George E. Oram, Jr.
202.828.3455 DIRECT
202.857.6395 FAX
oram.george@arentfox.com

PLEASE DELIVER TO:

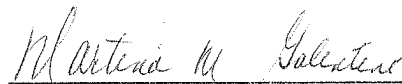
Name/Company	Fax #	Verify #
U.S. Patent and Trademark Office	571-273-8300	

MESSAGE/INSTRUCTIONS

Re: **Change of Correspondence Address**
U.S. Patent Appln. S.N. 09/320,649
For: HYDRODYNAMIC TYPE OIL-IMPREGNATED
SINTERED BEARING
By: Natsuhiko MORI et al
Our Ref: 100725-09009

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.



Martina M. Galentine

August 9, 2005

(Date)

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 202.857.6119

This facsimile contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the address below via the postal service. Thank you.

CHANGE OF CORRESPONDENCE ADDRESS APPLICATION

Address to:
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Application Number	09/320,649
Filing Date	May 27, 1999
First Named Inventor	Natsuhiko MORI et al
Group Art Unit	3682
Examiner Name	L. Footland
Attorney Docket Number	100725-09009

Please change the Correspondence Address for the above-identified patent application to:



The address associated with
 Customer Number:

004372

OR



Firm or
 Individual Name

ARENT FOX PLLC

Address

1050 Connecticut Avenue, N.W.
 Suite 400

City

Washington

State

D.C.

Zip

20036-5339

Country

Telephone

202-857-6000

Email

dcipdocket@arentfox.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant/Inventor.



Assignee of record of the entire interest.
 Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).



Attorney or agent of record. Registration Number: 27,931



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 C.F.R. 1.33(a)(1). Registration Number: _____

Signature

George E. Oram Jr

Typed or

Printed Name

George E. Oram, Jr.

Date

August 9, 2005

Telephone

202-857-6000

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below*.



*Total of 1 form(s) are submitted.

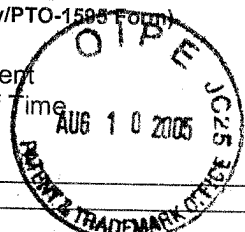
This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Patent ☒ Trademark ☐ Docket No. 100725-09009
Serial No. 09/320,649 Filed May 27, 1999
Applicant(s) MORI, et al.

Papers filed herewith on August 10, 2005

<input type="checkbox"/> Fees \$ <u> </u> Ck # <u> </u>	<input type="checkbox"/> Assignment (w/PTO-1593 Form)
<input type="checkbox"/> New Application	<input type="checkbox"/> Declaration
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Req. for Ext. of Time
<input type="checkbox"/> IDS/PTO-SB08	<input type="checkbox"/> Drawing(s)
<input checked="" type="checkbox"/> Other <u>Status Check</u>	



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

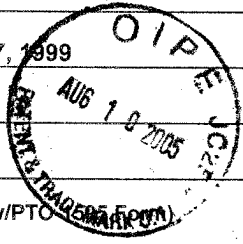
GEO:mso

COMMISSIONER OF PATENTS

Patent ☒ Trademark ☐ Docket No. 100725-09009
Serial No. 09/320,649 Filed May 27, 1999
Applicant(s) MORI, et al.

Papers filed herewith on August 10, 2005

<input checked="" type="checkbox"/> Fees \$ <u>180.00</u> Ck # <u>431343</u>	<input type="checkbox"/> Assignment (w/PTO-1593 Form)
<input type="checkbox"/> New Application	<input type="checkbox"/> Declaration
<input type="checkbox"/> Amendment	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Req. for Ext. of Time
<input checked="" type="checkbox"/> IDS/PTO-SB08 (6 Refs.)	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Other <u> </u>	



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mso

COMMISSIONER OF PATENTS

EXHIBIT

D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MORI, et al.

Serial No.: 09/320,649

Filed: May 27, 1999

Confirmation No.: Unknown

Group Art Unit: 3682

Examiner: L. Footland

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

REQUEST FOR STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

On May 27, 1999, the above-identified application was filed in the U. S. Patent and Trademark Office. To date, there has been no further action received since the Request for Continued Examination filed on March 23, 2001.

In view of the above, it is respectfully requested that the undersigned be provided with the current status of the subject application as soon as possible.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

SIGNATURE ON ORIGINAL

George E. Oram, Jr.
Attorney for Applicants
Reg. No. 27,931

Atty. Docket No.: 100725-09009

Customer No.: 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

GEO:mso

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MORI, et al.

Application No.: 09/320,649

Filed: May 27, 1999

Group Art Unit: 3682

Examiner: L. Footland

Atty. Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- ☒ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 4. The relevance of the non-English language reference(s) were cited in an Office Action of corresponding Japanese application. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

Respectfully submitted,

SIGNATURE ON ORIGINAL

George E. Oram, Jr.
Registration No. 27,931

Customer No. 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

GEO:mso

Enclosures: Form PTO-SB08; References (6)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</p> <p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>Form PTO/SB/08a</p>				Complete if Known	
				Application Number	09/320,649
				Filing Date	May 27, 1999
				First Named Inventor	MORI, et al.
				Art Unit	3682
				Examiner Name	L. Footland
				Attorney Docket Number	100725-09009
Sheet	1	of	1		

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code. ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

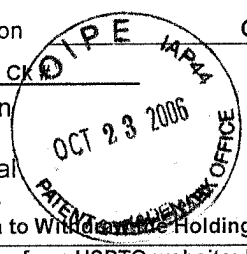
Patent ☒ Trademark ☐ Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) Natsuhiko MORI et al

Papers filed herewith on October 23, 2006

☐ Fees \$ CK ☐ Assignment (w/PTO-1595 Form)
☐ New Application ☐ Declaration
☐ Amendment ☐ Priority Document
☐ Notice of Appeal ☐ Req. for Ext. of Time
☐ IDS/PTO-SB08 ☐ Drawing(s)
☒ Other Petition to Withdraw the Holding of Abandonment (3 pgs.); Exhibit A - copy of Private PAIR page from USPTO website; Exhibit B - E-mail communication along with page 8 of Spreadsheet of May 22, 2001



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mmg

COMMISSIONER OF PATENTS

EXHIBIT

E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Filed: May 27, 1999

Group Art Unit: 3682

Examiner: L. Footland

Atty. Docket No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

October 23, 2006

Sir:

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26,

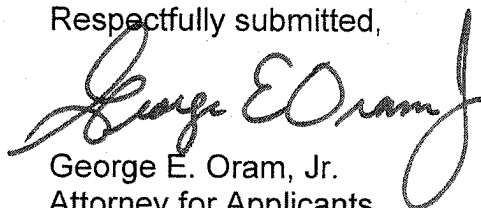
2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our
Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.
Attorney for Applicants
Reg. No. 27,931

Customer No.: 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

CMM:mmg

Encls:

- Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office website
- Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001

Patent ☒ Trademark ☐ Docket No. 100725-09009

Serial No. 09/320,649 Filed May 27, 1999

Applicant(s) Natsuhiko MORI et al

Papers filed herewith on February 23, 2007

- | | |
|---|---|
| <input type="checkbox"/> Fees \$ _____ Ck # _____ | <input type="checkbox"/> Assignment (w/PTO-1595 Form) |
| <input type="checkbox"/> New Application | <input type="checkbox"/> Declaration |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Notice of Appeal | <input type="checkbox"/> Req. for Ext. of Time |
| <input type="checkbox"/> IDS/PTO-SB08 | <input type="checkbox"/> Drawing(s) |
| <input checked="" type="checkbox"/> Other <u>Petition to Withdrawal of Abandonment (Second Filing);</u> | |

Copy of Stamped Postcard Receipt of October 23, 2006; Exhibit A - Copy of Private PAIR
Page from U.S. Patent and Trademark Office website; Exhibit B - E-mail Communication
along with page 8 of Spreadsheet of May 22, 2001

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

GEO:mmg

COMMISSIONER OF PATENTS

EXHIBIT

F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Filed: May 27, 1999

Group Art Unit: 3682

Examiner: L. Footland

Atty. Docket No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
(SECOND FILING)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

February 23, 2007

Sir:

On October 23, 2006, the undersigned filed a Petition to Withdraw the Holding of Abandonment in the subject application. A copy of the stamped postcard indicating receipt of the Petition by the Patent and Trademark Office on October 23, 2006, is enclosed. As the records of Private PAIR do not show this Petition as being received, it would appear that the Petition has been lost by the Patent and Trademark Office. Included in this submission is the Petition to Withdraw the Holding of Abandonment with Exhibits A and B as filed on October 23, 2006.

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action.

Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

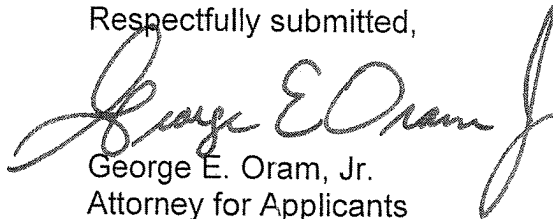
In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of

abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,



George E. Oram, Jr.
Attorney for Applicants
Reg. No. 27,931

Customer No.: 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

GEO:mmg

Encls:

Copy of Stamped Postcard Receipt of October 23, 2006

Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office website

Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001



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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

Select
New CaseApplication
DataTransaction
HistoryImage File
WrapperForeign
PriorityAddress &
Attorney/Agent

Assignments

Publication
Review**Transaction History**

Date	Transaction Description
03-31-2008	Mail-Petition Decision - Dismissed
03-28-2008	Petition Decision - Dismissed
01-08-2008	Petition Entered
11-14-2007	Mail-Petition Decision - Dismissed
11-13-2007	Petition Decision - Dismissed
02-23-2007	Petition Entered
08-10-2005	Information Disclosure Statement (IDS) Filed
08-10-2005	Information Disclosure Statement (IDS) Filed
08-18-2005	Correspondence Address Change
03-29-2002	Mail Abandonment for Failure to Respond to Office Action
03-28-2002	Abandonment for Failure to Respond to Office Action
→ 04-26-2001	Mail Notice of Restarted Response Period
→ 04-26-2001	Letter Restarting Period for Response (i.e. Letter re: References)
→ 04-26-2001	Correspondence Address Change
→ 04-11-2001	Mail Non-Final Rejection
→ 04-11-2001	Non-Final Rejection
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Information Disclosure Statement (IDS) Filed
03-23-2001	Preliminary Amendment
03-28-2001	Date Forwarded to Examiner
03-23-2001	Request for Continued Examination (RCE)
03-23-2001	Workflow - Request for RCE - Finish
03-23-2001	Mail Express Abandonment (During Examination)
03-23-2001	Express Abandonment (during Examination)
03-23-2001	Request for Extension of Time - Granted
03-23-2001	Workflow - Request for RCE - Begin
11-30-2000	Mail Final Rejection (PTOL - 326)
11-30-2000	Final Rejection
09-28-2000	Date Forwarded to Examiner
09-26-2000	Response after Non-Final Action
06-30-2000	Mail Non-Final Rejection
06-29-2000	Non-Final Rejection
04-28-2000	Case Docketed to Examiner in GAU
09-14-1999	Case Docketed to Examiner in GAU
08-26-1999	Application Dispatched from OIPE

EXHIBIT **G**

08-25-1999	Application Is Now Complete
06-24-1999	Notice Mailed--Application Incomplete--Filing Date Assigned
06-16-1999	IFW Scan & PACR Auto Security Review
06-04-1999	Initial Exam Team nn

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent Application Information Retrieval (PAIR).*
 - *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
 - *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999

Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

**DECLARATION FOR RENEWED PETITION TO REVIVE UNINTENTIONALLY
ABANDONED PATENT APPLICATION**

Sir:

I, the undersigned, hereby declare the following:

1. I am a partner of the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.

2. I have been a partner at Arent Fox since January 1, 2000. From before January 1, 1999 through December 31, 1999, I was a partner of Nikaido, Marmelstein, Murray & Oram. I became a partner of Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.

3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file the application and did so. Attached as Exhibit A is a copy of the properly executed Declaration.

4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted a change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR Transaction history webpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address. It is believed that this may be the correction of address for Arent Fox. Since Image File is not available for this period of time, I am unable to tell what is there.

5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.

6. The application became abandoned under my control because I never received the documents mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. I did not direct anyone else to reply for the same reasons. Consequently, I had no conversations or correspondence with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.

7. The first correspondence in this application subsequent to the filing of the RCE on March 23, 2001 is a letter from the Japanese Associate Office for this application dated August 1, 2005 requesting that an Information Disclosure Statement be filed. The only other correspondence is our reporting letter telling the Japanese Associate Office that the IDS had been filed on August 10, 2005.

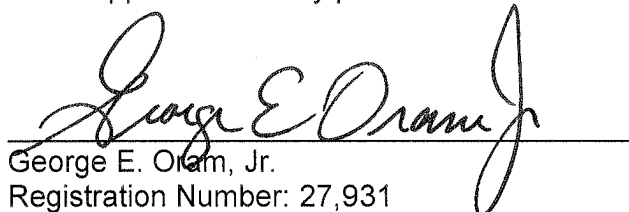
Attached as Exhibit C are both letters.

8. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or skilled enough to make a statement regarding this patent application becoming abandoned.

9. I believe the persons having first hand knowledge of the circumstances surrounding the failure of the Patent Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent Office documents that were never received, are myself and Mr. Murat Ozgu.

10. I affirm the statements made in the paragraphs numbered 1 – 8 in the concurrently filed Renewed Petition under 37 C.F.R. 1.137(b).

11. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


George E. Oram, Jr.
Registration Number: 27,931

Date: June 2 2008

Enclosures:	Exhibit A	Declaration executed by inventors
	Exhibit B	PTO Private PAIR webpage
	Exhibit C	Letters of August 1 and 10, 2005

Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
(Insert Title) HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

the specification of which is attached hereto unless the following box is checked:

☒ was filed on _____ as PCT International Application
 Number _____ and was amended on _____
 and/or was filed on May 27, 1999 as United States Application
 Number 09/320,649 and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

(List prior foreign applications. See note A on back of this page)	<u>10-147837</u> (Number)	<u>Japan</u> (Country)	<u>28 May, 1998</u> (Day/Month/Year Filed)	Priority Claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u>10-147838</u> (Number)	<u>Japan</u> (Country)	<u>28 May, 1998</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

(See Note B on back of this page)

☐ See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.)	_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
	_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; Karen K. Costantino, Reg. No. 35,107; James A. Poulos, III, Reg. No. 31,714; Herbert C. Rose, Reg. No. 29,846; and Patrick D. Muir, Reg. No. 37,403.

Please direct all communications to the following address: NIKAIIDO, MARMELESTEIN, MURRAY & ORAM LLP
Metropolitan Square
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby
Washington, D.C. 20005-5701
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C on back of this page)

Full name of sole or first inventor Natsuhiko MORI
 Inventor's signature Natsuhiko MORI 27 July, 1999
 Date
 Residence Kuwana-shi, Mie-ken, Japan
 Citizenship Japanese
 Post Office Address c/o NTN Corporation, 3066, Aza Oyumida, Oaza Higashikata, Kuwana-shi, Mie-ken, Japan

Full name of second joint inventor, if any Katsumi NAGANO
Inventor's signature Katsumi NAGANO 27 July, 1999
Date
Residence Tokyo-to, Japan
Citizenship Japanese
Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of third joint inventor, if any Yoshihiko OEDA
Inventor's signature Yoshihiko OEDA 27 July, 1999
Date
Residence Tokyo-to, Japan
Citizenship Japanese
Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of fourth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of fifth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of sixth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of seventh joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of eighth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of ninth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

[Select New Case](#)[Application Data](#)[Transaction History](#)[Image File Wrapper](#)[Foreign Priority](#)[Address & Attorney/Agent](#)[Assignments](#)[Publication Review](#)**Transaction History**

Date	Transaction Description
03-31-2008	Mail-Petition Decision - Dismissed
03-28-2008	Petition Decision - Dismissed
01-08-2008	Petition Entered
11-14-2007	Mail-Petition Decision - Dismissed
11-13-2007	Petition Decision - Dismissed
02-23-2007	Petition Entered
08-10-2005	Information Disclosure Statement (IDS) Filed
08-10-2005	Information Disclosure Statement (IDS) Filed
08-18-2005	Correspondence Address Change
03-29-2002	Mail Abandonment for Failure to Respond to Office Action
03-28-2002	Abandonment for Failure to Respond to Office Action
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03-28-2001	Date Forwarded to Examiner
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11-30-2000	Final Rejection
09-28-2000	Date Forwarded to Examiner
09-26-2000	Response after Non-Final Action
06-30-2000	Mail Non-Final Rejection
06-29-2000	Non-Final Rejection
04-28-2000	Case Docketed to Examiner in GAU
09-14-1999	Case Docketed to Examiner in GAU
08-26-1999	Application Dispatched from OIPE

FBI/DOJ

B

08-25-1999	Application Is Now Complete
06-24-1999	Notice Mailed--Application Incomplete--Filing Date Assigned
06-16-1999	IFW Scan & PACR Auto Security Review
06-04-1999	Initial Exam Team nn

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 - *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
 - *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*
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PATENTS, TRADEMARKS, DESIGNS-ESTABLISHED IN 1932

MINORU EHARA 1904-1984
SYOGO EHARA
HIDEYOSHI TANAKA
YOSHIYUKI SHIRAISHI
KUNIIHIKO SHIROMURA
TSUYOSHI KUMANO
HIROAKI YAMANE

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August 1, 2005

Arent Fox Kintner Plotkin & Kahn PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
U.S.A.

RECEIVED

AUG 02 2005

ARENT FOX

Re: U.S. Patent Application No. 09/320,649
By: MORI et al.
Your Ref: 100725-09009
Our Ref: FP99-003US

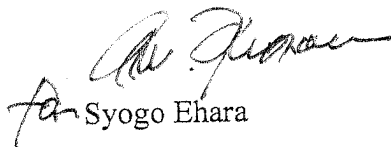
Dear Sirs,

Enclosed are copies of JP09-217735, JP09-316210, JP08-266007, JP05-255685, JP06-264926, JP09-087652 cited in an Office Action of corresponding Japanese application, which are intended for filing in this case in order to comply with the duty to disclose.

Please proceed with the filing of IDS.

Sincerely yours,
EHARA PATENT OFFICE

AUG 02 2005


Syogo Ehara

Enclosures

EXHIBIT C-1

Arent Fox
ATTORNEYS AT LAW

August 10, 2005

George E. Oram, Jr.
202.828.3455 DIRECT
202.857.6395 FAX
oram.george@arentfox.com

Mr. Syogo Ehara
Ehara Patent Office
Osaka Shoko Building
15-26, Edobori 1-chome
Nishi-ku, Osaka 550-0002, Japan

Re: Information Disclosure Statement
U.S. Patent Appln. S.N. 09/320,649
By: MORI, et al.
Your Ref: FP99-003US
Our Ref: 100725-09009

Dear Mr. Ehara:

Thank you for your letter of August 1, 2005, enclosing the materials for filing an Information Disclosure Statement in the subject application. Enclosed are two copies of the Information Disclosure Statement which we prepared and filed in the Patent and Trademark Office on August 10, 2005.

Our debit note for services and disbursements in this regard will be sent to you shortly with a billing copy of this letter. We will keep you advised of the progress of this application.

Very truly yours,

~~REPLACES ON ORIGINAL~~

George E. Oram, Jr.

GEO:mso

Enclosure: Information Disclosure Statement (2)

EXHIBIT C-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999

Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

**DECLARATION FOR RENEWED PETITION TO REVIVE UNINTENTIONALLY
ABANDONED PATENT APPLICATION**

Sir:

I, the undersigned, hereby declare the following:

1. I am a partner at the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.

2. I have been a partner at Arent Fox since January 1, 2006. From January 1, 2000 through December 31, 2005, I was an associate at Arent Fox. From July 17, 1999 through December 31, 1999, I was an associate at Nikaido, Marmelstein, Murray & Oram. I became an associate at Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.

3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file a reply to the April 11, 2001 mailed Non-final Office Action on behalf of the applicant of the above-identified patent application. Attached as Exhibit A is a copy of the properly executed Declaration.

4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted the change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR webpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address.


5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.

6. The application became abandoned under my control because I never received the documents mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. Consequently, I had no conversations with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.

7. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or skilled enough to make a statement regarding this patent application becoming abandoned.

8. I believe the persons having first hand knoweldge of the circumstances surrounding the failure of the Patent Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent Office documents that were never received, are myslef and Mr. George E. Oram, Jr.

9. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Murat OZGU
Registration Number: 44,275

Date: 6/2/08

Enclosures: Exhibit A Declaration executed by inventors
 Exhibit B PTO Private PAIR webpage

Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
(Insert Title) HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

the specification of which is attached hereto unless the following box is checked:

☒ was filed on _____ as PCT International Application
 Number _____ and was amended on _____
 and/or was filed on May 27, 1999 as United States Application
 Number 09/320,649 and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

(List prior foreign applications. See note A on back of this page)

10-147837
 (Number)
10-147838
 (Number)

 (Number)

Japan
 (Country)
Japan
 (Country)

 (Country)

28 May, 1998
 (Day/Month/Year Filed)
28 May, 1998
 (Day/Month/Year Filed)

 (Day/Month/Year Filed)

Priority Claimed

☒ Yes ☐ No☒ Yes ☐ No☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

(See Note B on back of this page)

☐ See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.)

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; Karen K. Costantino, Reg. No. 35,107; James A. Poulos, III, Reg. No. 31,714; Herbert C. Rose, Reg. No. 29,846; and Patrick D. Muir, Reg. No. 37,403.

Please direct all communications to the following address:

NIKAIIDO, MARMELSTEIN, MURRAY & ORAM LLP
 Metropolitan Square
 655 Fifteenth Street, N.W., Suite 330 - G Street Lobby
 Washington, D.C. 20005-5701
 (202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C on back of this page)

Full name of sole or first inventor Natsuhiko MORIInventor's signature Natsuhiko MORI 27 July, 1999
DateResidence Kuwana-shi, Mie-ken, JapanCitizenship JapanesePost Office Address c/o NTN Corporation, 3066, Aza Oyumida, Oaza Higashikata, Kuwana-shi, Mie-ken, Japan

Full name of second joint inventor, if any Katsumi NAGANO
Inventor's signature Katsumi NAGANO 27 July, 1999
Date
Residence Tokyo-to, Japan
Citizenship Japanese
Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of third joint inventor, if any Yoshihiko OEDA
Inventor's signature Yoshihiko OEDA 27 July, 1999
Date
Residence Tokyo-to, Japan
Citizenship Japanese
Post Office Address c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan

Full name of fourth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of fifth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of sixth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of seventh joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of eighth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of ninth joint inventor, if any _____
Inventor's signature _____ Date _____
Residence _____
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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

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Priority](#)[Address &
Attorney/Agent](#)[Assignments](#)[Publication
Review](#)**Transaction History**

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EXHIBIT **B**

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